

Application Serial No. 10/536,593
Reply to office action of February 22, 2008

PATENT
Docket: CU-4233
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REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1 and 3-38 are pending before this amendment. By the present amendment, claim 1-24 are canceled without prejudice, and claims 35 is amended. No new matter has been added.

In the office action (page 3), claims 1 and 35 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,930,366 (Jamal) in view of U.S. Patent No. 4,796,279 (Betts), U.S. Patent No. 6,567,482 (Popovic), and further in view of U.S. Patent No. 6,185,244 (Nystrom). The "et al." suffix is omitted in a reference name.

In the office action (page 5), claims 13-24 are allowed, and claims 3-12 and 36-38 are indicated as being allowable if they are rewritten to include all limitations of the base claim and any intervening claims.

As to the rejection of claims 1 and 35, the examiner cites Betts and relies mainly on this reference to allege that Betts teach or suggest the claimed:

--first symbol is a symbol which is repeated at intervals of a predetermined time period, and **the second symbol is part of the first symbol with the phase rotated by 180°**-- (emphasis added in bold).

However, the applicants respectfully disagree and Betts does not disclose or suggest the above limitation, among others, because neither of the two orthogonal symbols A and B disclosed in Betts is a part of the other (Betts col. 2, lines 8-25). On this ground alone, even if Betts is considered in combination with any of the other cited references, not all subject matter as recited in claims 1 and 3 is taught or suggested.

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Further, nowhere in Nystrom teaches the preamble synchronization structure of the presently claimed invention. Nystrom teaches a method for acquiring a long code and frame timing during a cell search by using a special coding scheme. According to the coding scheme of Nystrom, a code set of length M Q -ary code words are defined to have the following properties: there is a one-to-one mapping between a long code message and a valid code word, no cyclic shift of a code word yields a valid code word, and the decoder should be able to find both the random shift and the transmitted code word in the presence of noise with some accuracy (Nystrom col. 7, line 58 to col. 8, line 10). The examiner states in the office action (page 4) that Nystrom discloses the common practice of periodically transmitting at defined intervals a synchronization code (Nystrom col. 2, lines 31-55). However, nowhere in Nystrom teaches the structure of the synchronization preamble 110 as claimed in claim 1.

Neither Jamal nor Popovic mentions a synchronization preamble structure having the claimed:

--first symbol is a symbol which is repeated at intervals of a predetermined time period, and the second symbol is part of the first symbol with the phase rotated by 180° —.

Therefore, the applicants submit that claims 1 and 35 in its present form are considered to be allowable over the cited references; nevertheless, the applicants cancel claim 1 without prejudice and amend claim 35 to incorporate the allowable limitations of claim 3, not as an attempt to get around Betts or any other cited references to overcome the standing rejections but in order to invite issuance of a Notice of Allowance in the next action.

For the reasons set forth above, the applicants respectfully submit that claims 25-

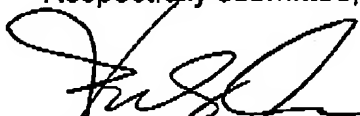
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38, now pending in this application, are either already allowed or in condition for allowance. Issuance of a Notice of Allowance is respectfully requested in the next action.

This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,



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